

AMENDED IN ASSEMBLY APRIL 13, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

## ASSEMBLY BILL

**No. 543**

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**Introduced by Assembly Member Ma**  
(Principal coauthor: Senator Runner)  
**(Coauthor: Assembly Member Block)**  
(Coauthor: Senator Cedillo)

February 25, 2009

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An act to amend Sections 123492 and 123493 of the Health and Safety Code, and to ~~amend~~ *repeal* Section 7 of Chapter 878 of the Statutes of 2006, relating to perinatal care, *and making an appropriation therefor*.

### LEGISLATIVE COUNSEL'S DIGEST

AB 543, as amended, Ma. Perinatal care: The Nurse-Family Partnership.

Existing law establishes the Nurse-Family Partnership program to provide grants for voluntary nurse home visiting programs for expectant first-time mothers, their children, and their families, as specified. Existing law prohibits the use of grant moneys to match other grants administered by the ~~department~~ *State Department of Public Health*.

This bill would allow the use of Nurse-Family Partnership program grant moneys as a match for other grants administered by the department.

Existing law establishes the California Families and Children Account in the State Treasury to accept private donations to pay for the program. *The account is continuously appropriated to the department for this purpose*. Existing law only allows grants to be distributed if the Director of Finance determines that there are sufficient funds from private

donations available in the account. Additionally, under existing law, if there are not sufficient funds on deposit in the account by January 1, 2009, the account shall cease to exist.

~~This bill would extend the time before which there must be sufficient funds in the account to January 1, 2014, and would allow grants to be distributed without the determination of sufficient funding by the Director of Finance.~~

*This bill would permit the department to accept federal grants for purposes of the program. This bill would revise existing law to permit the program to be implemented if the State Public Health Officer determines, on or before January 1, 2014, that at least \$500,000 is available for implementation of the program, including both federal grant funds and moneys in the account. If this determination is not made by that date, it would require that the account cease to exist and funds in the account immediately be distributed to each contributor.*

*By changing the purpose of a continuously appropriated fund, this bill would make an appropriation.*

Vote: majority. Appropriation: ~~no~~-yes. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 123492 of the Health and Safety Code
- 2 is amended to read:
- 3 123492. The department shall develop a grant application and
- 4 award grants on a competitive basis to counties for the startup,
- 5 continuation, and expansion of the program established pursuant
- 6 to Section 123491. To be eligible to receive a grant for purposes
- 7 of that section, a county shall agree to do all of the following:
- 8 (a) Serve through the program only pregnant, low-income
- 9 women who have had no previous live births. Notwithstanding
- 10 subdivision (b) of Section 123485, women who are juvenile
- 11 offenders or who are clients of the juvenile system shall be deemed
- 12 eligible for services under the program.
- 13 (b) Enroll women in the program while they are still pregnant,
- 14 before the 28th week of gestation, and preferably before the 16th
- 15 week of gestation, and continue those women in the program
- 16 through the first two years of the child's life.
- 17 (c) Use as home visitors only registered nurses who have been
- 18 licensed in the state.

1 (d) Have nurse home visitors undergo training according to the  
2 program and follow the home visit guidelines developed by the  
3 Nurse-Family Partnership program.

4 (e) Have nurse home visitors specially trained in prenatal care  
5 and early child development.

6 (f) Have nurse home visitors follow a visit schedule keyed to  
7 the developmental stages of pregnancy and early childhood.

8 (g) Ensure that, to the extent possible, services shall be rendered  
9 in a culturally and linguistically competent manner.

10 (h) Limit a nurse home visitor's caseload to no more than 25  
11 active families at any given time.

12 (i) Provide, for every eight nurse home visitors, a full-time nurse  
13 supervisor who holds at least a bachelor's degree in nursing and  
14 has substantial experience in community health nursing.

15 (j) Have nurse home visitors and nurse supervisors trained in  
16 effective home visitation techniques by qualified trainers.

17 (k) Have nurse home visitors and nurse supervisors trained in  
18 the method of assessing early infant development and parent-child  
19 interaction in a manner consistent with the program.

20 (l) Provide data on operations, results, and expenditures in the  
21 formats and with the frequencies specified by the department.

22 (m) Collaborate with other home visiting and family support  
23 programs in the community to avoid duplication of services and  
24 complement and integrate with existing services to the extent  
25 practicable.

26 (n) Demonstrate that adoption of the Nurse-Family Partnership  
27 program is supported by a local governmental or  
28 government-affiliated community planning board, decisionmaking  
29 board, or advisory body responsible for assuring the availability  
30 of effective, coordinated services for families and children in the  
31 community.

32 (o) Provide cash or in-kind matching funds in the amount of  
33 100 percent of the grant award.

34 SEC. 2. Section 123493 of the Health and Safety Code is  
35 amended to read:

36 123493. (a) The department may accept voluntary  
37 contributions, in cash or in-kind, to pay for the costs of the  
38 implementation of the program under Section 123492. These  
39 private donations shall be deposited into the California Families  
40 and Children Account, which is hereby created in the State

1 Treasury, which, notwithstanding Section 13340 of the Government  
2 Code, is hereby continuously appropriated to the department for  
3 purposes of implementing Section ~~123492~~. ~~No state funds 123492~~  
4 ~~and this section. No moneys from the General Fund shall be used~~  
5 ~~in implementing Section 123492.~~

6 (b) The department's administration costs shall not exceed 5  
7 percent of the moneys in the account created under subdivision  
8 (a). Any costs to the department incurred prior to the account  
9 receiving funds shall be reimbursed to the department from funds  
10 in the account.

11 ~~(e) The department shall not apply for grants or solicit private~~

12 ~~(c) The department may accept federal grants or private funds.~~

13 ~~(d) If, as of January 1, 2014, the Director of Finance determines~~  
14 ~~pursuant to subdivision (a) that there are insufficient funds on~~  
15 ~~deposit in the account to implement the voluntary nurse home~~  
16 ~~visiting grant program, the account shall cease to exist.~~

17 ~~(d) No funds shall be expended from the account to implement~~  
18 ~~Section 123492 unless and until the State Public Health Officer~~  
19 ~~determines, by not later than January 1, 2014, that at least five~~  
20 ~~hundred thousand dollars (\$500,000) is available for~~  
21 ~~implementation of that section, including both federal grant funds~~  
22 ~~and moneys in the account. If the State Public Health Officer has~~  
23 ~~not made a determination on or before January 1, 2014, that at~~  
24 ~~least five hundred thousand dollars (\$500,000) is available to~~  
25 ~~implement Section 123492, the amount in the account shall be~~  
26 ~~immediately distributed to each contributor and the account shall~~  
27 ~~cease to exist thereafter.~~

28 ~~SEC. 3. Section 7 of Chapter 878 of the Statutes of 2006 is~~  
29 ~~amended to read:~~

30 ~~Sec. 7. If there are not sufficient funds on deposit in the~~  
31 ~~California Families and Children Account, established pursuant~~  
32 ~~to subdivision (a) of Section 123493 of the Health and Safety Code~~  
33 ~~by January 1, 2014, the account shall cease to exist.~~

34 ~~SEC. 3. Section 7 of Chapter 878 of the Statutes of 2006 is~~  
35 ~~repealed.~~

36 ~~SEC. 7. If there are not sufficient funds on deposit in the~~  
37 ~~California Families and Children Account, established pursuant~~

- 1 to subdivision (a) of Section 123493 of the Health and Safety Code
- 2 by January 1, 2009, the account shall cease to exist.

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